

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEW HAMPSHIRE

IMS HEALTH INCORPORATED, a Delaware )  
corporation and VERISPAN, LLC, a Delaware )  
limited liability company, )

Plaintiffs, )

vs. )

KELLY A. AYOTTE, as Attorney General of )  
the State of New Hampshire, )

Defendant )

Case No. 06-CV-280-PB

ASSENTED TO MOTION FOR LATE  
FILING OF STIPULATION REGARDING THE RECORD

NOW COMES the Defendant, by and through the Office of the Attorney General, and respectfully requests that this Court enter the Joint Stipulation regarding the record attached hereto as Exhibit 1. In support of this Motion, the Defendant says as follows:

1. On July 3, 2007, a Joint Stipulation Regarding the Record was filed with the United States Court of Appeals for the First Circuit, Docket No. 07-1945. *See* Exhibit 2, copy of cover letter to First Circuit. That document should have been filed with this Court.

2. Due to accident, mistake or misfortune, the Joint Stipulation was improperly filed with the First Circuit, not with this Court.

3. The Defendant respectfully requests that this Court enter the Joint Stipulation of the record attached hereto.

4. Counsel for the Plaintiffs assents to the relief sought in this motion.

WHEREFORE, for the reasons stated above, the Defendant respectfully requests that this Court:

- A. Enter the Joint Stipulation on the record; and
- B. Grant such other relief as the Court deems just and equitable.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

Kelly A. Ayotte  
Attorney General

Date: 7/18/07

By: /s/Richard W. Head  
Richard W. Head (N.H. Bar No. 7900)  
Associate Attorney General  
33 Capitol Street  
Concord, New Hampshire 03301  
(603) 271-1248

**Certification of Service**

I hereby certify that a copy of the foregoing document was filed electronically and served electronically by operation of the Court's electronic filing system or by mail on anyone unable to accept electronic filing. Jeffrey C. Spear, Esquire, James Bassett, Esquire, Patricia Acosta, Esquire, Mark A. Ash, Esquire and Thomas R. Julin, Esquire have appeared as counsel of record for plaintiffs IMS Health Incorporated and Verispan, LLC.

By: /s/Richard W. Head  
Richard W. Head (N.H. Bar No. 7900)

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